

LABEL IN PART: "Silverized Violet 5306 * * *"; Silver 5014 * * *"; "Silver Blue 5304 * * *"; Silver Green 549 * * *"; "Green 4158 * * *"; "Ann Harper Eye Make-up—Lt. Brown"; "Ann Harper Eye Make-up—Green"; and "Light Brown 4617 * * *."

LIBELED: 5-17-61, S. Dist. N.Y.

CHARGE: 601(e)—when shipped, the articles contained synthetic organic colors, Rhodamine B, C.I. No. 45170 and Hansa Yellow, C.I. No. 11680, which were unsafe within the meaning of 706(a), since such synthetic organic colors have not been provisionally listed for cosmetic use in the area of the eye on the basis of prior commercial sale pursuant to Section 203 of the Color Additive Amendments of 1960.

DISPOSITION: 6-5-61. Default—destruction.

220. Eyebrow and eye liner pencil leads. (F.D.C. No. 45929. S. Nos. 56-442 R, 56-448 R, 56-451 R, 56-458/60 R, 83-128 R.)

QUANTITY: 209 gross at New York, N.Y.

SHIPPED: 8-28-59, 2-26-60, 4-19-60, 5-27-60, and 10-14-60, from Shelbyville, Tenn., by Jensen's, Inc.

LABEL IN PART: "6863 Blue 046"; "6872 Green"; "4886 Violet"; "4758 Green"; "5730 Lt. Brown"; "5115 Blue-Green"; and "4715 Blue."

LIBELED: 6-8-61, S. Dist. N.Y.

CHARGE: 601(e)—when shipped, the articles contained synthetic organic colors, Rhodamine B, C.I. No. 45170 and Hansa Yellow, C.I. No. 11680, which were unsafe within the meaning of 706(a), since such synthetic organic colors have not been provisionally listed for cosmetic use in the area of the eye on the basis of prior commercial sale pursuant to Section 203 of the Color Additive Amendments of 1960.

DISPOSITION: 6-30-61. Default—destruction.

221. Eyebrow pencils and refills, and eye liner pencils and refills. F.D.C. No. 45742. S. Nos. 82-782 R, 82-878 R, 82-880 R.)

QUANTITY: 230 pencils and 7 boxes, each containing 12 3-unit vials of leads (green color); 160 pencils and 13 boxes, each containing 12 3-unit vials of leads (light-brown color); and 234 pencils and 6 boxes, each containing 12 3-unit vials of leads (blue color), at Brooklyn, N.Y.

SHIPPED: (Leads only) 10-10-60 and 11-21-60, from Shelbyville, Tenn., by Jensen's, Inc.

LABEL IN PART: (Pencils) "Marian Bialac's Green Beautiful Eyes, Ltd., N.Y.C."; "Light Brown Beautiful Eyes Ltd., N.Y.C."; and "Blue Beautiful Eyes Ltd., N.Y.C."

RESULTS OF INVESTIGATION: The eye pencil leads had been shipped in bulk to New York, N.Y., where a portion of the leads had been placed in mechanical pencils and the remainder of the leads had been repackaged.

LIBELED: 4-28-61, E. Dist. N.Y.

CHARGE: 601(e)—when shipped, the article contained synthetic organic colors, namely, Rhodamine B, C.I. No. 45170, and Hansa Yellow, C.I. No. 11680, which were unsafe within the meaning of 706(a), since such synthetic organic colors had not been provisionally listed for cosmetic use in the area of the eye on the basis of prior commercial sale pursuant to Section 203 of the Color Additive Amendments of 1960.

DISPOSITION: 5-19-61. Default—destruction.

222. Eye liner pencil leads. (F.D.C. No. 45749. S. Nos. 82-962/3 R, 82-965 R, 82-967 R, 82-969 R, 82-973 R.)

QUANTITY: 19 boxes, each containing a number of ctns., and each ctn. containing 144 *eye liner pencil leads*, at Shelbyville, Tenn.

SHIPPED: 4-20-61, from New York, N.Y. This was a return shipment.

LIBELED: 5-1-61, E. Dist. Tenn.

CHARGE: 601(e)—when shipped, the article contained synthetic organic colors, namely Hansa Yellow, C.I. No. 11680; Rhodamine B, C.I. No. 45170; and Lithol Red, C.I. No. 15630, which were unsafe within the meaning of 706(a), since such synthetic organic colors had not been provisionally listed for cosmetic use in the area of the eye on the basis of prior commercial sale pursuant to Section 203 of the Color Additive Amendments of 1960.

DISPOSITION: 6-14-61. Default—destruction.

223. Eye pencils. (F.D.C. No. 45702. S. Nos. 35-806/10 R.)

QUANTITY: 360 (light brown), 360 (black), 360 (dark brown), 720 (green), and 432 (blue) pencils at New York, N.Y.

SHIPPED: 2-2-61, from Lodi, N.J., by Hazel Bishop, Inc.

LABEL IN PART: "Hazel Bishop Eye Pencil."

ACCOMPANYING LABELING: Display card to which pencils were attached: "Hazel Bishop No-Smear Type Eye Pencil * * * Hazel Bishop Inc. N.Y. Distr."

LIBELED: 4-5-61, S. Dist. N.Y.

CHARGE: 601(e)—when shipped, the articles contained synthetic organic colors, namely, Rhodamine B, C.I. No. 45170; Hansa Yellow, C.I. No. 11680; and Lithol Red, C.I. No. 15630, which were unsafe within the meaning of 706(a), since such synthetic organic colors had not been provisionally listed for cosmetic use in the area of the eye on the basis of prior commercial sale pursuant to Section 203 of the Color Additive Amendments of 1960.

DISPOSITION: 5-10-61. Default—destruction.

224. Eye pencils. (F.D.C. No. 45718. S. Nos. 37-975/9 R.)

QUANTITY: 1,635 (turquoise color); 8,000 (blue color); 38,448 (frosted-blue color); 42,768 (frosted-violet color); 29,124 (green color); 78,546 (light-brown color); and 62,650 (dark-brown color) at Trenton, N.J.

SHIPPED: 6-23-60, 7-5-60, and dates unknown, from Lewisburg, Tenn., by Swan Pencil Co.

LABEL IN PART: "Hazel Bishop Eye Pencil."

LIBELED: 4-13-61, Dist. N.J.

CHARGE: 601(e)—when shipped, the article (all lots except the turquoise color) contained synthetic organic colors, namely, Rhodamine B, C.I. 45170; Hansa Yellow, C.I. No. 11680; and Lithol Red, C.I. No. 15630, which were unsafe within the meaning of 706(a), since such synthetic organic colors had not been provisionally listed for cosmetic use in the area of the eye on the basis of prior commercial sale pursuant to Section 203 of the Color Additive Amendments of 1960.

DISPOSITION: 5-15-61. Default—destruction.